

EXHIBIT K

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF DELAWARE

3 DELAWARE DISPLAY GROUP LLC, :
4 et al., : C.A. No.: 13-2109-RGA
5 Plaintiffs, :
6 v. :
7 LG ELECTRONICS INC., :
8 et al., :
9 Defendants. :

10 Tuesday, November 24, 2015
11 2:00 p.m.

12 Discovery Dispute
13 Courtroom of Judge Richard G. Andrews
14 844 King Street
15 Wilmington, Delaware

16 BEFORE: THE HONORABLE Richard G. Andrews,
17 United States District Court Judge

18 APPEARANCES:

19 FARNAN LLP
20 BY: BRIAN FARNAN, ESQ.
21 BY: ROSEMARY PIERGIOVANNI, ESQ.

22 -and-

23 BRAGALONE CONROY PC
24 BY: JEFFREY BRAGALONE, ESQ.
BY: T. WILLIAM KENNEDY, ESQ.
BY: JUSTIN KIMBLE, ESQ.

On behalf of Plaintiffs

1 APPEARANCES CONTINUED:

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3 ROSS ARONSTAM & MORITZ LLP
4 BY: BENJAMIN SCHLADWEILER, ESQ.

5 -and-

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MAYER BROWN LLP
BY: KFIR LEVY, ESQ.
BY: JAMIE BEABER, ESQ.
BY: ROBERT PLUTA, ESQ.

On behalf of Defendants

1 MR. LEVY: The backlight unit is
2 what is being accused.

3 THE COURT: Okay.

4 MR. LEVY: That's all these
5 patents deal with is just the backlight unit.

6 THE COURT: All right. Let me
7 hear from Mr. Bragalone for a minute.

8 MR. LEVY: Thank you, Your Honor.

9 MR. BRAGALONE: Thank you, Your
10 Honor. Mr. Kennedy is also going to address
11 this issue on some of the more detailed
12 questions about what is and is not shown on
13 certain LCMs, but I can correct some of the
14 statements that were made initially.

15 First of all, it's important to
16 know that there is out of all the thousands of
17 CAD files that were dumped on the Plaintiff
18 after the Court ordered the production, there
19 was one particular file that actually showed the
20 backlight unit assembly or the BLU assembly, and
21 we identified that in our responsive brief.
22 That's what's referred to as a 6091L file.

23 So the 6091L CAD file, that was
24 the file that allowed us to put together the

1 detailed charts. There were 5,000 charts that
2 we prepared at great time, at great expense in
3 this case. And those are detailed. The 6091
4 CAD files are detailed. Now, it doesn't show
5 deformities. They have information we believe
6 that shows deformities but they refuse to
7 produce it or get that from their supplier.
8 They claimed they've asked --

9 THE COURT: So basically your
10 infringement charts don't show the deformities?

11 MR. BRAGALONE: Your Honor,
12 there's I think virtually no dispute that there
13 are deformities. Deformities in the patent as
14 the Court may recall from the claim
15 construction, it's an agreed term and it's a
16 very broad term in terms of how the parties have
17 defined it by agreement. All of these have
18 deformities. So they're complaining that we
19 don't actually show a magnified picture of the
20 deformities. And, yes, I will defy any witness
21 for LG to take the stand and say in any respect
22 that their products don't have these
23 deformities. That's just not the case.

24 In every case, every single

1 don't exist. In fact, we strongly dispute that
2 all of these 750 files, that the products for
3 the 750 products don't exist.

4 THE COURT: Well, he just said
5 four, so there's some room for --

6 MR. BRAGALONE: And in fact, Your
7 Honor, they produced to us other files that
8 correlate to these exact products. What they
9 didn't produce to us, again I want to focus
10 this. Mr. Levy isn't talking about the same
11 thing that we're talking about. He's not
12 talking about the 6091L CAD file.

13 LG has and produced the 6091 files
14 for the vast majority of these products. We
15 used those to provide 5,000 detailed charts, and
16 this came to great expense and time. So we --

17 THE COURT: Well, you both are
18 repeating yourselves already. You say there's
19 missing files. He says he doesn't have them.
20 You're saying, well, there's missing files.
21 We're not really advancing the ball very far
22 here.

23 MR. BRAGALONE: We asked for some
24 information, some discovery. We asked for a

1 other files that correlate to those same files.

2 THE COURT: I'm not so interested
3 in trying to have all of this meta litigation.

4 You've got like 5,000 claim charts and 1100
5 accused products apparently, so I'm just
6 inclined to say, well, go forward with the 5,000
7 claim charts you have already done, the seven
8 claim charts that are cartoons, we'll drop them
9 and questions as to whether your claim charts
10 are good enough on aspects of cartoons will
11 still remain, you're going to get 30(b)(6)
12 depositions if, in fact, you basically need
13 someone from LG to say, yes, they all got
14 deformities, it will take care of itself.

15 MR. BRAGALONE: I understand the
16 Court's inclination here. May I state that with
17 respect to dropping the other products, the only
18 reason that we are here at this stage without
19 more definitive claim terms is because we, first
20 of all, until the very end of the litigation
21 never got CAD file --

22 THE COURT: I think the last time
23 I was talking with you all, it could have been
24 the Vizio case, everyone was interested in